



Finance & Tax Committee

**Tuesday, April 11, 2006
9:30 AM – 12:00 PM
404 HOB**

ACTION PACKET

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

AMENDED

Location: 404 HOB

Summary:

Finance & Tax Committee

Tuesday April 11, 2006 09:30 am

HJR 39 CS	Favorable With Committee Substitute	Yeas: 5 Nays: 2
HB 951 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 993 CS	Favorable With Committee Substitute	Yeas: 6 Nays: 0
HB 1079 CS	Favorable	Yeas: 6 Nays: 1
HB 1143 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 1
HB 1199 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 2
HB 1375 CS	Favorable	Yeas: 6 Nays: 0
HB 1399 CS	Favorable	Yeas: 5 Nays: 0
HB 1445 CS	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 7099	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 7233	Favorable With Committee Substitute	Yeas: 5 Nays: 0
HB 7237	Favorable	Yeas: 6 Nays: 0

Committee meeting was reported out: Tuesday, April 11, 2006 2:12:49PM

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Print Date: 4/11/2006 2:12 pm

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Frederick Brummer (Chair)	X		
Donald Brown	X		
Jennifer Carroll	X		
Carl Domino	X		
Terry Fields	X		
Kenneth Gottlieb	X		
John Quinones	X		
Timothy Ryan	X		
John Stargel	X		
Totals:	9	0	0

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HJR 39 CS : Limitations on Assessments of Real Property

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields				X	
Kenneth Gottlieb		X			
John Quinones	X				
Timothy Ryan		X			
John Stargel	X				
Frederick Brummer (Chair)	X				
Total Yeas: 5		Total Nays: 2			

Appearances:

Limitations on Assessments of Real Property

Bob McKee (Lobbyist) - Opponent

Florida Association of Counties

100 S. Monroe

Tallahassee FL 32308

Phone: 922-4300

Limitations on Assessments of Real Property

John W. Smith (Lobbyist) - Opponent

Florida League of Cities

301 S. Bronough Street

Tallahassee FL 32301

Phone: 222-9684

Committee meeting was reported out: Tuesday, April 11, 2006 2:12:49PM

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 951 CS : Palm Beach County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Frederick Brummer (Chair)	X				
Total Yeas: 7		Total Nays: 0			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 993 CS : City of Southport, Bay County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino			X		
Terry Fields				X	
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan	X				
John Stargel	X				
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 6		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 2:12:49PM

COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 1079 CS : Exemption from the Tax on Sales, Use, and Other Transactions

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb		X			
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Frederick Brummer (Chair)	X				
Total Yeas: 6		Total Nays: 1			

Appearances:

Exemption from the Tax on sales, Use and Other Transactions

Cass Vickers (Lobbyist) - Proponent

Valpar Direct Marketing Systems

1701 Metropolitan Blvd, Suite 101

Tallahassee FL 32308

Phone: 523-0400

Exemption from the Tax on Sales, Use and Other Transactions

Carole L. Duncanson (Lobbyist) - Information Only

Printing Association of Florida

605 SW 4th Avenue

Ft. Lauderdale FL 33315

Phone: 954-761-1610

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 1143 CS : Economic Development Incentives

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Andy Gardiner (Ex Officio)	X				
Frederick Brummer (Chair)		X			
Total Yeas: 7		Total Nays: 1			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 1199 CS : Statewide Cable Television Franchises

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll	X				
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb		X			
John Quinones	X				
Timothy Ryan		X			
John Stargel	X				
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 7		Total Nays: 2			

Appearances:

Statewide Cable Television Franchise
Brian Musselwhite (Lobbyist) - Proponent
AT&T
101 N. Monroe Street
Tallahassee FL 32301
Phone: 850-425-6313

Statewide Cable Television Franchises
Buford Rivers (Lobbyist) (State Employee) - Proponent
Department of State
Tallahassee FL

Statewide Cable Television Franchises
Paula Hoisington (General Public) - Proponent
Video Access Alliance
P.O. Box 14917
Tallahassee FL 32317
Phone: 1-800-539-1470

Statewide Cable Television Franchises
Bob McKee (Lobbyist) - Opponent
Florida Association of Counties
100 S. Monroe Street
Tallahassee FL 32308
Phone: 922-4300

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Finance & Tax Committee

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AMENDED

Location: 404 HOB

Statewide Cable Television Franchises

Flix Boccucci, Jr. (General Public) - Information Only

Knology Inc

P.O. Box 510

Georgia 31833

Phone: 706-773-0246

Statewide Cable Television Franchises

Karen Walker (Lobbyist) - Information Only

Holland & Knight LLP

315 S. Calhoun Street, Suite 600

Tallahassee FL 32301

Phone: 224-7000

Statewide Cable Television Franchises

Charles Dudley (Lobbyist) - Opponent

FL Cable Telecom Association

108 S. Monroe Street, #200

Tallahassee FL 32302

Phone: 681-0024

Statewide Cable Television Franchises

Gail M. Perry (Lobbyist) - Information Only

Communications Workers of America

P.O. Box 1766

Pompano Beach FL 33061

Phone: 954-850-4055

Statewide Cable Television Franchises

John W. Smith (Lobbyist) - Opponent

Florida League of Cities

301 S. Bronough Street

Tallahassee FL 32301

Phone: 222-9684

Statewide Cable Television Franchises

George Merds (General Public) - Information Only

Cable Association

301 S. Bronough Street

Tallahassee FL 32301

Phone: 577-9090

Statewide Cable Television Franchises

Keyna Cory (Lobbyist) - Proponent

Associated Industries of Florida

110 E. College Avenue

Tallahassee FL 32301

Phone: 681-1065

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Finance & Tax Committee

4/11/2006 9:30:00AM

AMENDED

Location: 404 HOB

Statewide Cable Television Franchises

Steve Wilkerson (Lobbyist) - Opponent

President, FL Cable Telecommunication Association

246 E. 6th Avenue

Tallahassee FL

Phone: 627-1086

Statewide Cable Television Franchises

Pamela Land (Lobbyist) - Opponent

115 S. Andrews Ave

Ft. Lauderdale FL 33301

Phone: 954-357-7575

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 1375 CS : Manatee County

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan			X		
John Stargel			X		
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 6		Total Nays: 0			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

AMENDED

Location: 404 HOB

HB 1399 CS : North Naples Fire Control and Rescue District, Collier County

☒ Favorable

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino			X		
Terry Fields				X	
Kenneth Gottlieb	X				
John Quinones			X		
Timothy Ryan	X				
John Stargel	X				
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 5 Total Nays: 0					

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 1445 CS : West Villages Improvement District, Sarasota County

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 7		Total Nays: 0			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 7099 : Land Trusts

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb	X				
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 7		Total Nays: 0			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

AMENDED

Location: 404 HOB

HB 7233 : Review under the Open Government Sunset Review Act regarding the Communications Services Tax Simplification Law

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino			X		
Terry Fields				X	
Kenneth Gottlieb	X				
John Quinones			X		
Timothy Ryan	X				
John Stargel	X				
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 5		Total Nays: 0			

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COMMITTEE MEETING REPORT

Finance & Tax Committee

4/11/2006 9:30:00AM

Location: 404 HOB

AMENDED

HB 7237 : Public Service Commission

<input checked="" type="checkbox"/> Favorable					
	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Donald Brown	X				
Jennifer Carroll			X		
Carl Domino	X				
Terry Fields	X				
Kenneth Gottlieb			X		
John Quinones	X				
Timothy Ryan	X				
John Stargel			X		
Andy Gardiner (Ex Officio)			X		
Frederick Brummer (Chair)	X				
Total Yeas: 6		Total Nays: 0			

Committee meeting was reported out: Tuesday, April 11, 2006 2:12:49PM

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (1)

Bill No. 1199 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Finance & Tax Committee
Representative(s) Traviesa offered the following:

Amendment (with title amendment)

Remove line 501 and insert:

a certificateholder. However, each certificateholder, if
requested pursuant to a bona fide order for cable service, shall
make cable service available at each building used for municipal
or county purposes, including, but not limited to, emergency
operations centers, fire stations, and public schools, within
the area described in its application under s. 610.104(4)(d)
within 5 years after the date of the issuance of its certificate
by the department using the technology of its choice.

===== T I T L E A M E N D M E N T =====

Between lines 31 and 32, insert:

requiring certificateholders to make cable service available at
certain public buildings under certain circumstances;

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (2)

Bill No. 1199 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Finance & Tax Committee
2 Representative(s) Traviesa offered the following: .

3
4 **Amendment**

5 Remove line 543, and insert:
6 municipality for at least 10 hours per day. Except as provided
7 in subsections (3)-(5), the certificateholder's obligations
8 under this subsection continue regardless of whether the
9 incumbent cable service provider, subsequent to July 1, 2006,
10 becomes a certificateholder pursuant to this chapter.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (3)

Bill No. 1199 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION 1 (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Finance & Tax Committee

Representative(s) Traviesa offered the following:

Amendment (with title amendment)

Between lines 632 and 633, insert:

(11) In support of the capital costs incurred by the municipality or county in connection with the construction or operation of public, educational, or governmental access facilities and content provided by a municipality or county pursuant to this section, the certificateholder shall pay to the municipality or county 1 percent of the certificateholder's monthly revenues from the retail sale of cable services provided to customers located within the respective municipal or county boundaries, based upon the certificateholder's books and records, for a period of 2 years after the date the department issues a certificate to the certificateholder. After the expiration of the 2-year period, the certificateholder shall pay and the municipality or county shall continue to receive up to 1 percent of such revenues in support of the capital costs incurred by the municipality or county in connection with the construction or operation of public, educational, or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (4)

Bill No. 1199 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

1 Council/Committee hearing bill: Finance & Tax Committee
2 Representative(s) Traviesa offered the following:

3
4 **Amendment**

5 Between lines 646 and 647, insert:

6 (3) Except as expressly provided in this section, nothing
7 in this chapter shall be construed to limit or abrogate a
8 municipality's or county's authority over the use of public
9 rights-of-way under its jurisdiction, as provided in s.
10 337.401(3)(a).

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (5)

Bill No. 1199 CS

COUNCIL/COMMITTEE ACTION

ADOPTED	—	(Y/N)
ADOPTED AS AMENDED	—	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	—	(Y/N)
WITHDRAWN	—	(Y/N)
OTHER	—	

1 Council/Committee hearing bill: Finance & Tax Committee
2 Representative(s) Traviesa offered the following:

3
4 **Amendment**

5 Remove line 712 and insert:

6 (5) The Department of Agriculture and Consumer Services
7 shall adopt any procedural rules

000000



Brian Musselwhite?

Committee on

F&T

Action

Adopted w/objection

Date

4/11/66

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No.

6

Bill No.

1199

(For filing with the Clerk, Committee and Member Amendments must be prepared on computer)

If amendment is text of another bill insert:

Bill No.

Draft No.

Representative(s)/The Committee on

Stargel

offered the following amendment:

Amendment

on page

27

Strike

, line 8

720-724,



W/D

Committee on F&T

Action _____

Date 4/11/06

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. 7

Bill No. 1199

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

If amendment is text of another bill insert:

Bill No. _____ Draft No. _____

Representative(s)/The Committee on _____

Stargel

offered the following amendment:

Amendment

on page 16, line Strike 413, and insert:

Anna boundaries. An applicant shall not be granted
a license for a service area greater than an area it can
reasonably build out during a two-year period.



Full or Subcommittee on

F & T

Action

Adopt w/o obj.

Date

4/11/06

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY
(may be used in Committee, but not on House Floor)

Amendment No. 8

Bill No. 1199

(For filing with the Clerk, Committee and Member Amendments must be prepared on computer)

If amendment is text of another bill insert:
Bill No. _____ Draft No. _____

Representative(s)/The Committee on _____

Stargel

offered the following amendment:

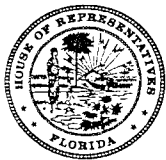
Amendment

8

on page _____, line 418-420 And insert:

within 30 business days after receiving the
Application shall be denied. The applicant may
request an automatic 30 day extension of
up to 30 days or may proceed to the
remedies set forth in subparagraph (10).

Prior to the expiration
of the 30 day period,



Committee on FT

Action Adopted w/o obj

Date 4/11/06

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. 9

Bill No. 1199

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

If amendment is text of another bill insert:

Bill No. _____

Draft No. _____

Representative(s)/The Committee on _____

Stargel

offered the following amendment:

Amendment

on page 17, line delete (s) 452-453, and insert:

must be accompanied by a fee established by the department not to exceed \$10,000. In addition to the application fee, each certificateholder shall pay an annual fee established by the department and based on the number of the certificateholder's subscribers not to exceed \$10,000. The fees shall be based on the costs incurred by the department in performing its duties under the provisions of this act.



?

W/D

Committee on _____

Action _____

Date _____

HOUSE AMENDMENT FOR DRAFTING PURPOSES ONLY

(may be used in Committee, but not on House Floor)

Amendment No. 10

Bill No. 1199

(For filing with the Clerk, Committee and Member Amendments **must** be prepared on computer)

If amendment is text of another bill insert:
Bill No. _____ Draft No. _____

Representative(s)/The Committee on _____

Stargel

offered the following amendment:

Amendment

on page _____, line _____, Between lines 453-454 insert:

(13) The department shall not ~~grant~~
issue a certificate to any entity or
person that has not demonstrated
it has: ~~the financial~~

(a) The financial ability to perform;

(b) A history of providing ~~good~~ satisfactory
service to its customers;

2